

RESPONSE TO FINAL OFFICE ACTION MAILED: June 17, 2004  
Patent 09/773,103

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
(LHTLG No. 00-236-A)

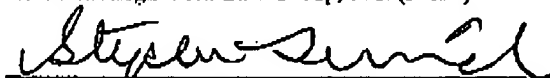
In re Application of:	)
Chen, et al.	) Examiner: Ian N. Moore
	)
Serial No.	) Group Art Unit: 2661
09/773,103	)
Filed:	) Confirmation No. 5447
January 31, 2001	)
Title: Broadband Communication	)
Access Device	)

Mail Stop: BEFORE FINAL FEE AMRNDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**FACSIMILE TRANSMITTAL LETTER**  
(47 total pages including this transmittal letter)

1. We are transmitting herewith the attached papers for the above identified patent application:
  - ☒ PETITION FOR EXTENSION OF TIME UNDER 37 CFR § 1.136 Three (3) Months (1 page)
  - ☒ AMENDMENT AND RESPONSE TO OFFICE ACTION MAILED: June 17, 2004 (38 pages).
  - ☒ RE-SUBMISSION OF INFORMATION DISCLOSURE STATEMENT FAXED NOVEMBER 25, 2003 (7 pages).
2. **FEES:** Please charge the fee for a small entity three (3) month extension of time fee under 37 C.F.R. § 1.17(a)(3) of \$475.00 to Deposit Account No. 50-2281 for the Lesavich High-Tech Law Group, P.C. (32097)
3. **GENERAL AUTHORIZATION TO CHARGE OR CREDIT FEES:** No other fees or extensions of time are required. Should these assumptions be incorrect please charge any additional fees or credit overpayment to Deposit Account No. 50-2281 for Lesavich High-Tech Law Group, P.C. (32097) and consider this a petition and request therefor for an extension of time under 37 CFR § 1.136.
4. **CERTIFICATE OF TRANSMISSION UNDER 37 CFR 1.8:** The undersigned hereby certifies that this facsimile transmittal letter and the papers, as described in paragraph 1 hereinabove, are being facsimile transmitted to the Patent and Trademark Office, (TC2600 Before Final Fax No. 703-872-9306) on this 12<sup>th</sup> day of December, 2004.

Respectfully submitted,  
Lesavich High-Tech Law Group, P.C. (32097)



Stephen Lesavich, Ph.D.  
Registration No. 43,749

Date: December 12, 2004

1 of 1

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Response To First Office Action Mailed: June 17, 2004  
PATENT 09/773,103

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AMENDMENT AND RESPONSE

TO OFFICE ACTION MAILED June 17, 2004

Responsive to the Final Office Action mailed June 17, 2004, Applicant submits the following Amendment and Response.

AMENDMENT

IN THE CLAIMS:

Please original amend Claims 3, 29, 30 and 31 add new Claims 38-40 claims as follows. New Claim 38 includes the limitations of independent Claim 1 and dependent Claim 27. New Claim 39 includes the limitations of independent Claim 28 and dependent Claim 28. New Claim 40 includes the limitations of independent Claim 30 and dependent Claim 31.

Amendments are being made to Claims 3, 29, 30 and 31 to correct typing mistakes. However, this amendment should not narrow any part of the application within the meaning of the holding of *Festo Corp. v. Shoketsu Kinzouku Kogyo*